

Fiscal Estimate - 2009 Session

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

LRB Number 09-2321/2	Introduction Number AB-0594
Description Notifying a law enforcement agency when certain persons are released from the custody of the Department of Corrections	
Fiscal Effect State: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <div style="margin-left: 20px;"> <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> </div> <div style="width: 33%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <div style="margin-left: 20px;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <input type="checkbox"/> Decrease Costs </div> </div> </div>	
Local: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate <div style="margin-left: 20px;"> <div style="display: flex; justify-content: space-between;"> <div> 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div> 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> </div> </div> </div> <div style="width: 33%;"> 5. Types of Local Government Units Affected <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> Towns <input type="checkbox"/> Counties <input type="checkbox"/> School Districts </div> <div style="width: 33%;"> <input type="checkbox"/> Village <input type="checkbox"/> Others <input type="checkbox"/> WTCS Districts </div> <div style="width: 33%;"> <input type="checkbox"/> Cities </div> </div> </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS </div> <div> Affected Ch. 20 Appropriations </div> </div>	
Agency/Prepared By DA/ Phil Werner (608) 267-2700	Authorized Signature Tom Herman (608) 266-0239
Date 12/1/2009	

Fiscal Estimate Narratives

DA 12/1/2009

LRB Number	09-2321/2	Introduction Number	AB-0594	Estimate Type	Original
Description Notifying a law enforcement agency when certain persons are released from the custody of the Department of Corrections					

Assumptions Used in Arriving at Fiscal Estimate

If this bill is enacted, prosecutors do not envision a fiscal impact on DA offices.

Long-Range Fiscal Implications

Should this bill be enacted, prosecutors do not expect a long-term fiscal impact on their offices.

Fiscal Estimate - 2009 Session

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Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect			
<input checked="" type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Increase Existing Revenues	
<input type="checkbox"/> Decrease Existing Appropriations		<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriations		<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Decrease Costs	
Local:			
<input checked="" type="checkbox"/> No Local Government Costs			
<input type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs		3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs		4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected			
<input type="checkbox"/> Towns		<input type="checkbox"/> Village	
<input type="checkbox"/> Counties		<input type="checkbox"/> Cities	
<input type="checkbox"/> School Districts		<input type="checkbox"/> Others	
		<input type="checkbox"/> WTCS Districts	
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By		Authorized Signature	
DOC/ Cathy Halpin (608) 240-5538		Robert Margolies (608) 240-5056	
		Date	
		12/8/2009	

Fiscal Estimate Narratives

DOC 12/8/2009

LRB Number	09-2321/2	Introduction Number	AB-0594	Estimate Type	Original
Description Notifying a law enforcement agency when certain persons are released from the custody of the Department of Corrections					

Assumptions Used in Arriving at Fiscal Estimate

Current law allows the victim of a crime or an adult family member if the victim died as a result of the crime or if the victim is younger than 18 years old, the victims' parent or legal guardian, to complete a request for notification of the offender's application for parole or release to extended supervision, release from prison, escape, death while in prison, consideration of early discharge from extended supervision or parole, petition for pardon or placement in a community setting. The victim [or adult family member or parent/legal guardian] may provide written statements and may attend Earned Release Review Commission--ERRC, [formerly the Parole Commission] interviews and release hearings.

This bill provides the same rights to request notification, provide written statements and to attend the ERRC interview or release hearings to the law enforcement agency whose officer was killed and to the head of the bargaining unit representing the officer.

Currently notification is provided by either the Department's Office of Victim Services and/or ERRC. This bill first applies to crimes committed on or after the effective date of the law and it is assumed that there wouldn't be any workload implications for the Department for several years. The Department and the Earned Release Review Commission anticipate that they will be able to absorb any future increased costs [additional notifications, longer hearings] resulting from this legislation.

Long-Range Fiscal Implications

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Agency/Prepared By DOJ/ Mark Rinehart (608) 264-9463	Authorized Signature Mark Rinehart (608) 264-9463	Date 1/5/2010

Fiscal Estimate Narratives

DOJ 1/5/2010

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Assumptions Used in Arriving at Fiscal Estimate

The Department of Justice does not anticipate a fiscal impact due to the enactment of 2009 Assembly Bill 594.

Long-Range Fiscal Implications

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 2. ☐ Decrease Costs

☐ Permissive ☐ Mandatory

 4. ☐ Decrease Revenue

☐ Permissive ☐ Mandatory

Fiscal Estimate Narratives
SPD 12/8/2009

LRB Number	09-2321/2	Introduction Number	AB-0594	Estimate Type	Original
Description Notifying a law enforcement agency when certain persons are released from the custody of the Department of Corrections					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal proceedings. The SPD plays a major role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

This bill does not provide for a new criminal offense, expand the definition of a criminal offense, or increase criminal penalties. The bill provides procedural rules regarding notification to law enforcement agencies and to collective bargaining units when certain inmates (or mental-health patients) become eligible for release from incarceration (or from confinement in a mental-health facility). Therefore, the SPD would not be required or authorized to appoint attorneys under this bill, and the SPD does not anticipate any increase in its caseload if the bill is enacted.

Counties are also subject to increased costs when a new crime is created. There are some defendants who, despite exceeding the SPD's statutory financial guidelines, are constitutionally eligible for appointment of counsel because it would be a substantial hardship for them to retain an attorney. The court is required to appoint counsel at county expense for these defendants. However, for the same reason that the SPD does not anticipate any impact on its caseload, the counties are unlikely to see any such increase in case appointments.

Long-Range Fiscal Implications